

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of remarks and amendments herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-17 are pending. Claim 1-3, 8-11 and 15-17 are independent, and hereby amended. No new matter has been added. Support for this amendment is provided throughout the Specification as originally filed and specifically on pages 35-37 (paragraphs [0124]-[0130]) and Fig. 7. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §101

Claims 9 and 16 are hereby amended, thereby obviating the rejection under 35 U.S.C. §101.

III. REJECTIONS UNDER 35 U.S.C. §102 and §103

Claims 1-3, 8-12 and 14-17 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 7,188,355 to Prokopenko et al. (hereinafter, merely "Prokopenko").

Claims 4-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Prokopenko in view of U.S. Patent No. 7,260,823 to Schlack et al. (hereinafter, merely “Schlack”).

Claim 13 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Prokopenko in view of U.S. Patent No. 6,381,369 to Kondo et al. (hereinafter, merely “Kondo”).

IV. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...the user information includes operation information representing parameter changes of image or audio signal based on an operation by a user...” (Emphasis added)

As understood by Applicants, Prokopenko relates to a system for providing recommendations for television program selection.

As understood by Applicants, Schlack relates to Profiling and identification of television viewers.

Kondo relates to an image coding apparatus and method, an image decoding apparatus and method, a record medium and an image transmitting method.

Applicants submit that none of the cited references, taken alone or in combination, teach or disclose the above discussed feature of claim 1. Specifically, neither Prokopenko nor Schlack nor Kondo teaches or suggests the user information includes operation information representing parameter changes of image or audio signal based on an operation by a user, as recited in claim 1.

Specifically, the Office Action relies on Prokopenko to describe a viewer profile database. However, Applicants submit that in Prokopenko the viewer profile only includes case

files such as Category, Sub-category, EPG channel, etc (See, Prokopenko, col. 11, lines 1-8 and Fig 6). Thus, in Prokopenko there is no operation information representing the parameter changes of video and audio signal based on the operation made by the user included in the viewer profile.

In the present invention, as shown in Fig. 7, the stored user information includes **parameters for image resolution and noise suppression** in the third line, **parameter for sound volume** in the fourth line, and other information representing the parameter changes of video and audio signal caused by the user operation (See, Specification, page 35-37, paragraphs [0124]-[0130] and Fig. 7).

Consequently, noting has been found in Prokopenko that would teach the user information includes operation information representing parameter changes of image or audio signal based on an operation by a user, as recited in claim 1.

Therefore, Applicants respectfully submit Prokopenko fails to teach or suggest the user information includes operation information representing parameter changes of image or audio signal based on an operation by a user, as recited in claim 1.

Therefore, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, the independent claims 2, 3, 8-11 and 15-17 are also patentable.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION

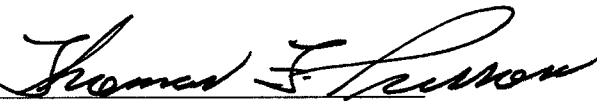
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request reconsideration and early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800